THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, the 17th day of January, 2007

W.P.No.14107 of 1994

Between:

N. Perayya Sastry & others … Petitioners

and

The Member Secretary, A.P.S.E.B.,
Vidyuth Soudha, Hyderabad and another …
Respondents

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ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring that the petitioners are entitled for award of Meritorious Productivity Incentive and General Incentive as per B.P.(P&G.PER) Ms.Nos.154 and 155, dated 15-7-1994 with all consequential benefits.

It appears, petitioners are working in various capacities, such as, Upper Division Clerks, Typist and Junior Accounts Officers in Vijayawada Thermal Power Station, which is one of the power generation stations of the 1st respondent-Board. They were asked to look after the work of establishment of personnel in O&M wing of the Generation Station and they rendered their service in the said establishment from 1-4-1992 to 31-3-1993. Despite the salary bills of the petitioners were drawn from the construction division of stage III, the actual work that was entrusted to them during the relevant period i.e. 1-4-1992 to 31-3-1993 was the work connected with O&M Divisions. All the O&M Personnel of civil maintenance Divisions I and II were paid salaries from the construction wing and the funds for their salaries were drawn from that wing only. Vijayawada Thermal Power Station has acquired meritorious productivity award from Government of India for the year 1992-93 for creating a record in generation of electricity and Government of India vide its letter dated 16-1-1994 granted an amount of Rs.24.38 lakhs towards the said incentive award to the generation station. Respondent-Board also sanctioned an

incentive at the rate of 15 days salary for each employee working in the Thermal and Hydel generation stations for excellent performance, in the year 1992-93. Further, the 1st respondent issued B.P. (P&G.PER) Ms.Nos.154 and 155, dated 15-7-1994 laying down the guidelines, eligibility criteria and quantum of the incentive. These two Proceedings have laid down that the meritorious award shall relate to the period from 1-4-1992 to 31-3-1993. According to B.P.Ms.No.154, dated 15-7-1994, the productive incentive will be available to all the employees, who have worked at Vijayawada Thermal Power Station during the said period. In spite of the same, the petitioners are not being paid their incentive. They claim that they are entitled to an amount of Rs.26,596/- towards incentive under the said B.P.Ms.Nos.154 and 155, dated 15-7-1994. Hence, this Writ Petition.

No counter is filed.

While admitting the Writ Petition, this Court by an interim Order dated 3-8-1994 directed the respondents to set apart an amount of Rs.26,596/- towards the production and generation incentive payable to the petitioners as per B.P.(P&G.PER) Ms.Nos.154 and 155, dated 15-7-1994 pending further orders.

In the facts and circumstances of the case, without going into the merits of the case, the respondents are directed to consider the case of the petitioners for awarding of production and generation incentive as per B.P.(P&G.PER) Ms.Nos.154 and 155, dated 15-7-1994, if they actually performed the duties connected with O&M Personnel of civil maintenance divisions I & II and are eligible for such incentives and pass appropriate orders, within a period of two months from the date of receipt of a copy of this order. Till such time, the amount set apart as per the interim order of this Court dated 3-8-1994 shall not be disbursed.

With the above directions, this Writ Petition is disposed of. No order as to costs.

17-1-2007

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